No. 17-965

In the Supreme Court of the United States

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL.,

Petitioners,

v.

STATE OF HAWAII, ET AL.

Respondents.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Brief of *Amicus Curiae* American Council on Education and 32 Other Higher Education Associations in Support of Respondents

BRAD D. BRIAN
MICHAEL R. DOYEN
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue
50th Floor
Los Angeles, CA 90071
(213) 683-9100

CHAD GOLDER
COUNSEL OF RECORD
ADELE M. EL-KHOURI
MUNGER, TOLLES & OLSON LLP
1155 F Street, NW
7th Floor
Washington, D.C. 20004
(202) 220-1100
chad.golder@mto.com

Counsel for Amicus Curiae American Council on Education and 32 Other Higher Education Associations

TABLE OF CONTENTS

TABLE OF AUTHORITIES iii

INTERESTS OF *AMICI* 1

SUMMARY OF ARGUMENT 3

ARGUMENT 7

I. Immigration Policy that Sends a Message of Exclusion Profoundly Harms American Colleges and Universities. 7

A. Colleges and Universities, and Their Communities, Rely on the Cross-Border Exchange of People and Ideas. 7

B. International Students and Scholars Strengthen the American Economy and Foreign Policy. 12

II. The Proclamation Adversely Affects Academic Exchange with International Students and Scholars. 19

A. International Students and Scholars Have Been Directly Affected by the Successive Travel Bans. 22

B. The Proclamation Will Have Continuing Adverse Effects on American Colleges and Universities and, by Extension, Our National Interests. 26

TABLE OF CONTENTS
(continued)

Page

CONCLUSION 37

ADDENDUM: *AMICI* ON THIS BRIEF 1a

TABLE OF AUTHORITIES

FEDERAL CASES **PAGE(S)**

Arizona v. United States,
567 U.S. 387 (2012) 6, 25

Fisher v. Univ. of Texas at Austin,
570 U.S. 297 (2013) 10

Grutter v. Bollinger,
539 U.S. 306 (2003) 10, 11

Hawaii v. Trump,
878 F.3d 662 (9th Cir. 2017) 35

Int'l Refugee Assistance Project v. Trump,
883 F.3d 233 (4th Cir. 2018) 35

Trump v. Int'l Refugee Assistance Project,
137 S. Ct. 2080 (2017) 25

Washington v. Trump,
847 F.3d 1151 (9th Cir. 2017) 37

OTHER AUTHORITIES **PAGE(S)**

AACRAO, *Trending Topics Survey: International Applicants for Fall 2017—Institutional & Applicant Perceptions* (Mar. 13, 2017), http://www.aacrao.org/docs/default-source/TrendTopic/Immigration/intl-survey-results-released.pdf?sfvrsn=0 28

TABLE OF AUTHORITIES
(continued)

Academics Against Immigration Executive Order, https://notoimmigrationban.com/ (last visited Feb. 21, 2017) 34, 35

Adams Nager, et al., *The Demographics of Innovation in the United States*, Info. Tech. & Innovation Found. (2016) 14

Allan E. Goodman, *Coming to America*, Inst. of Int'l Educ., https://www.iie.org/Learn/Blog/2017-July-31-Letter-from-Allan-Goodman (last visited Feb. 21, 2018) 8

Ann Saphir, *Trump's travel bans spook some students, fan fears of broader chill*, Reuters (May 16, 2017, 1:10 AM) 30

Anya Kamenetz, *Students Stranded Worldwide By Trump Order*, NPR (Jan. 30, 2017) 22

Associated Press, *Trump impact: As international student numbers fall, US universities send out welcome messages*, Hindustan Times (May 4, 2017, 3:28 PM) 29

Ben Wolfgang, *Armed with U.S. Education, Many Leaders Take On World*, Wash. Times (Aug. 19, 2012) 18

TABLE OF AUTHORITIES
(continued)

Bianca Quilantan, *International Grad Students' Interest in American Higher Ed Marks First Decline in 14 Years*, The Chronicle of Higher Education (Jan. 30, 2018) 31

Chelsea Whyte, *Trump's Travel Ban Is Already Stopping Scientific Collaboration*, New Scientist (Jan. 31, 2017) 34

Collin Binkley, *Travel Ban Throws Research, Academic Exchange into Turmoil*, Associated Press (Jan. 31, 2017) 24

Common Questions, U.S. Dep't of State, J-1 Visa Exchange Visitor Program, https://j1visa.state.gov/basics/common-questions/ (last visited Feb. 21, 2018) 19

Dana Llebelson, *Trump's New Travel Ban Could Hinder Research On HIV And Mental Health*, Huffington Post (Mar. 7, 2017, 6:20 PM) 24

Dick Startz, *Sealing the border redux: American universities are losing international students*, Brookings Institution (Feb. 7, 2018) 19, 32

TABLE OF AUTHORITIES
(continued)

Doug Lederman, *Leading in Turbulent Times: A Survey of Presidents*, Inside Higher Ed (Mar. 9, 2018) 31

Elizabeth Redden, *A Year of Travel Bans*, Inside Higher Ed (Feb. 1, 2018) 4, 33

Elizabeth Redden, *Boycotting the U.S.*, Inside Higher Ed (Jan. 31, 2017) 33

Elizabeth Redden, *International Enrollments: From Flat to Way Down*, Inside Higher Ed (Sept. 5, 2017) 30

Elizabeth Redden, *International Student Numbers Decline*, Inside Higher Ed (January 22, 2018) 27

Elizabeth Redden, *New International Enrollments Decline*, Inside Higher Ed (Nov. 13, 2017) 28

Elizabeth Redden, *Ready to Go Expat?*, Inside Higher Ed (July 26, 2017) 30

Elizabeth Redden, *Will U.S. Restrict Visas for Chinese Students?*, , Inside Higher Ed (Mar. 16, 2018) 31, 37

Hironao Okahana & Enyu Zhou, *International Graduate Applications and Enrollment: Fall 2017*, Council of Graduate Schools (January 2018) 26

TABLE OF AUTHORITIES
(continued)

Inst. of Int'l Educ., *Open Doors Data, Institutions Hosting the Most Scholars*, 2016/17, https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Scholars/Institutions-Hosting-the-Most-Scholars (last visited Feb. 21, 2018) 9, 10

Inst. of Int'l Educ., *Open Doors Data, Top 25 Institutions Hosting International Students, 2016/17*, https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Students/Leading-Host-Institutions (last visited Feb. 21, 2018) 9, 10

Inst. of Int'l Educ., *Open Doors 2017*, https://www.iie.org/Research-and-Insights/Open-Doors/Open-Doors-2017-Media-Information 20

Jeffrey Mervis, *Drop in Foreign Applicants Worries U.S. Engineering Schools*, Science (Feb. 14, 2017, 3:30 PM) 29

Jonathan R. Cole, *Why American Universities Need Immigrants*, The Atlantic (Mar. 7, 2017) 8, 12

TABLE OF AUTHORITIES
(continued)

Jonathan Rothwell, *The Hidden STEM Economy*, Brookings Inst. (2013) 16

Julie Baer, *Fall 2017 International Student Enrollment Hot Topics Survey*, Inst. of Int'l Educ. (Nov. 2017) 28

Justin Lear, *A Syrian Teen Was Headed to MIT and Then Came the Ban*, CNN (Jan. 29, 2017, 1:34 PM) 23

Karin Fischer, *Assessing the Travel Ban: What New Data on Overseas Recruitment Does—and Doesn't—Tell Us*, The Chronicle of Higher Education (July 6, 2017) 29, 30

Karin Fischer, *Trump Unveils Revamped Travel Ban*, The Chronicle of Higher Education (Sept. 24, 2017) 31

Kevin Sullivan, *Other Countries Court Skilled Immigrants Frustrated by U.S. Visa Laws*, Wash. Post (Feb. 18, 2013) 17

Lauren Meckler and Melissa Korn, *Visas Issued to Foreign Students Fall, Partly Due to Trump Immigration Policy*, Wall Street Journal (Mar. 11, 2018) 32

TABLE OF AUTHORITIES
(continued)

Letter from Mary Corbett Broad to John F. Kelly, Secretary of Homeland Security (Jan. 31, 2017) 3

Lylah Alphonse, *New STEM Index Find's America's STEM Talent Pool Still Too Shallow To Meet Demand*, U.S. News & World Report (Apr. 23, 2014, 7:00 AM) 15

Mará Rose Williams, *Fewer international students are enrolling in Midwest colleges. At what cost?*, The Kansas City Star (Jan. 13, 2018, 7:00 AM) 32

Michael Gerson, *Trump is bent on destroying one of our winningest exports*, Wash. Post (Mar. 20, 2018) 32

Michael Greenstone, Adam Looney & Harrison Marks, *The U.S. Immigration System: Potential Benefits of Reform*, The Hamilton Project (2012)..... 14

Milton J. Valencia, *Boston-Bound Iranian Scientist with Visa Sues US over Ban*, Boston Globe (Feb. 2, 2017)..... 23

TABLE OF AUTHORITIES
(continued)

NAFSA, *Colorado Benefits from International Students*, https://istart.iu.edu/nafsa/reports/state.cfm?state=CO&year=2016 (last visited Feb. 22, 2018) 13

NAFSA, *NAFSA International Student Economic Value Tool*, http://www.nafsa.org/Policy_and_Advocacy/Policy_Resources/Policy_Trends_and_Data/NAFSA_International_Student_Economic_Value_Tool/ (last visited Feb. 21, 2018) 13

NAFSA, *Restoring U.S. Competitiveness For International Students and Scholars* (2006), http://www.nafsa.org/uploadedFiles/NAFSA_Home/Resource_Library_Assets/Public_Policy/restoring_u.s.pdf (last visited Feb. 22, 2018) 17

Neil G. Ruiz, *The Geography of Foreign Students in U.S. Higher Education: Origins and Destinations*, Brookings Inst. (2014) 13

Nell Gluckman, *Loss of Global Prestige: The United States' appeal as a study-abroad destination may be waning*, The Chronicle of Higher Education (Mar. 4, 2018) 28

TABLE OF AUTHORITIES
(continued)

Northern Virginia Community College, *International Students*, http://www.nvcc.edu/about/glance/index.html (last visited Feb. 21, 2018) 9

Press Release, Council of Graduate Schools, *For First Time in over a Decade, International Graduate Applications and Enrollments Decline at U.S. Institutions* (January 30, 2018)..... 27

Press Release, Mary Sue Coleman, President, Association of American Universities, *AAU President Comments on Administration's Updated Travel Ban* (Sept. 25, 2017), ... 6

Press Release, U.S. Dep't of State, Inst. of Int'l Educ., *IIE Releases Open Doors 2017 Data* (Nov. 13, 2017) 13

Rafael Bernal, *Amid Debate, All 2016 American Nobel Laureates Are Immigrants*, The Hill (Oct. 10, 2016, 2:29 PM)..... 16

Report of the Council, *Bulletin of the American Association of University Professors (1915-1955)* Vol. 8, No. 7, (Nov., 1922)..... 12

TABLE OF AUTHORITIES
(continued)

Rice Univ. Office of Int'l Students & Scholars, *International Students and Scholars at Rice*, Statistical Report, Executive Summary (2017) 8

Rutgers University, *Facts & Figures*, https://global.rutgers.edu/about-gaia/facts-figures (last visited Feb. 21, 2018) 9

Stephanie Ebbert, *MIT Engineering Student From Iran Not Allowed To Reenter US*, Boston Globe (Jan. 31, 2017) 22

Stephanie Saul, *Amid 'Trump Effect' Fear, 40% of Colleges See Dip in Foreign Applicants*, N.Y. Times (Mar. 16, 2017) 29

Stephanie Saul, *As Flow of Foreign Students Wanes, U.S. Universities Feel the Sting*, N.Y. Times (Jan. 2, 2018) 32

Stuart Anderson, *Guess Who's Not Coming to America? International Students*, Forbes (Mar. 2, 2018, 12:07 AM) 27

Stuart Anderson, *Immigrants and Billion Dollar Startups*, Nat'l Found. for Am. Policy 1 (March 2016) 14

TABLE OF AUTHORITIES
(continued)

Testimony of Waleed Alhariri, *The Muslim Ban: What You Need To Know: Senate Briefing* (Feb. 14, 2017) 24

Times Higher Education, *World University Rankings 2017-2018*, https://www.timeshighereducation.com/world-university-rankings/2018/world-ranking#!/page/0/length/25/sort_by/rank/ sort_order/asc/cols/stats (last visited Mar. 13, 2018) 7

University of Bridgeport, *Frequently Asked Questions*, http://www.bridgeport.edu/admissions/international/frequently-asked-questions/#A4 (last visited Feb. 21, 2018) 9

University of Colorado Boulder, *International Admissions*, http://www.colorado.edu/international/ (last visited Feb. 21, 2018) 9

TABLE OF AUTHORITIES
(continued)

University of Colorado Boulder, *International Scholar Statistics: July 1, 2015-June 30, 2016*, http://www.colorado.edu/isss/sites/default/files/attached-files/international_scholar_statistics_-_charts_2015-2016_0.pdf (last visited Feb. 21, 2018) 9

Valencia College, *Student Characteristics*, http://valenciacollege.edu/academic-affairs/institutional-effectiveness-planning/institutional-research/Reporting/ Strategic-Indicators/StudentCharacteristics.cfm (last visited Feb. 21, 2018) 8

Written Statement of Columbia Law Student Kate Berry, *The Muslim Ban: What You Need To Know: Senate Briefing* (Feb. 14, 2017) 24

Xueying Han & Richard P. Appelbaum, *Will They Stay or Will They Go? International STEM Students Are Up for Grabs*, Ewing Marion Kauffman Found. (2016) 15

Ziad Reslan, *Harvard Student: 'I Worry If I Leave, I Won't Be Let Back In'*, N.Y. Times (Feb. 2, 2017, 11:34 AM) 22

INTERESTS OF *AMICI*[1]

Amici are 33 associations of colleges, universities, educators, trustees, and other representatives of several thousand institutions of higher education in the United States, as well as organizations that enable and support American higher education. *Amici* represent public, independent, large, small, urban, rural, denominational, non-denominational, graduate, and undergraduate institutions and faculty. These institutions educate, employ, and invite onto their campuses over a million individuals from other countries each year. All *amici* share a strong interest in ensuring that people from around the world, including the eight countries identified in the challenged Presidential Proclamation, are not barred or deterred from entering the United States and contributing to American colleges and universities.

Amicus American Council on Education ("ACE") is the major coordinating body for American higher education. Its approximately 1,800 institutional and associational members reflect the extraordinary breadth and contributions of degree-granting colleges and universities in the United States. Believing that a strong higher education system is the cornerstone of a democratic society, ACE participates as *amicus curiae* on occasions such as this where a case

---

[1] Pursuant to Supreme Court Rule 37.6, counsel for *amici curiae* state that no counsel for a party authored this brief in whole or in part, and no party or counsel for a party, or any other person other than *amici curiae* or their counsel, made a monetary contribution intended to fund the preparation or submission of this brief. All parties have consented to the filing of this brief.

presents issues of substantial importance to higher education in the United States.

The Addendum contains information on the other *amici* on this brief.

SUMMARY OF ARGUMENT

American colleges and universities are part of a worldwide network of learning, research, and education. Together, *amici*'s members enroll millions of students from all over the United States and the world in undergraduate, graduate, and professional degree programs. Many have gone on to invent groundbreaking technology, start thriving businesses, and assume leadership roles in governments and other organizations, both in this country and abroad. *Amici*'s members also employ faculty and researchers from around the globe. These international scholars routinely publish pioneering peer-reviewed work in virtually all fields of knowledge. As ACE's former president recognized last year, the "roughly one million international students that attend U.S. colleges and universities add to this country's intellectual and cultural vibrancy, and they also yield an estimated economic impact of $32.8 billion and support 400,000 U.S. jobs, according to recent estimates. International students and scholars have served America well throughout our history."[2]

The September 24, 2017 Presidential Proclamation ("Proclamation") puts those benefits at risk. The Proclamation, which follows two executive orders ("EO-1" and "EO-2") that imposed temporary bans on entry into the United States of nationals from several majority-Muslim countries, now indefinitely suspends immigration from eight countries. The Proclamation sends a clarion message of exclusion to millions

---

[2] Letter from Mary Corbett Broad to John F. Kelly, Secretary of Homeland Security (Jan. 31, 2017), http://www.acenet.edu/news-room/Documents/ACE-Letter-to-DHS-John-Kelly-International-Students-Scholars.pdf.

around the globe that America's doors are no longer open to foreign students, scholars, lecturers, and researchers.

By tripling-down on EO-1's and EO-2's exclusionary message, the Proclamation directly threatens *amici*'s ability to attract the international students and scholars who are essential to the success of American educational institutions. Foreign students, faculty and researchers come to this country because our institutions are rightly perceived as the destinations of choice compared to all others around the globe. The Proclamation, like EO-1 and EO-2, altered those positive perceptions with the stroke of a pen.

Regrettably, those changed perceptions quickly gave rise to new realities. The Proclamation continues to cause a range of adverse consequences for American institutions of higher education. Prospective students still express serious concerns about attending American colleges and universities. To take just one example, Faraj Aljarih, a Libyan national who was pursuing a master's degree at Washington State University at the time EO-1 went into effect, was hoping to stay at WSU to pursue his Ph.D. Now, even though the Proclamation allows Libyans to come to the United States on nonimmigrant student visas, Aljarih has decided not to apply to WSU: "[A]fter the ban came into effect, it would be hard to come back to WSU. The good news is that I got admitted to the Ph.D. program at the University of Ottawa, in Canada."[3] Similarly, faculty

---

[3] Elizabeth Redden, *A Year of Travel Bans*, Inside Higher Ed (Feb. 1, 2018), https://www.insidehighered.com/news/2018/02/01/year-later-trump-administrations-travel-restrictions-opposed-many-higher-ed-are.

recruits from other countries have demurred from accepting teaching and research positions. And scholars based abroad have pulled out of academic conferences in the United States, either because they have been directly affected by these entry suspensions or because they are concerned about the harmful impact on academic discourse and research worldwide.

It is essential that the United States maintain its deep commitment to ensuring the free flow of ideas and people that is critical to progress in a democratic society. The inquiry, innovation, and invention that take place every day within *amici*'s classrooms, libraries, and laboratories depend on the ability of scholars and students to travel to and from the United States. The Proclamation, however, severely undermines the ability of American colleges and universities to fulfill their commitment to serving their students, their communities, the United States, and the world through innovative teaching and research. That commitment relies on maintaining a consistent pipeline of the most talented international students and scholars, who bring with them unique skills and perspectives that inure to the benefit of their classmates, colleagues, and the communities, small and large, served by *amici*'s member institutions.

Make no mistake, *amici* and their members are firmly committed to the security of their members' campuses and of the United States. Each member college and university places the highest priority on the safety of its students and scholars, and recognizes that security is essential to maintaining a productive learning environment. As one *amicus* has emphasized, our colleges and universities "have long-

shared the goal of protecting our country from those seeking to do us harm and . . . stand ready to help the administration ensure national security in ways that do not undermine our nation's status as the top destination for global talent."[4]

But the Proclamation jeopardizes the vital contributions made by foreign students, scholars, and faculty by telling the world in the starkest terms that America is no longer receptive to them. *Amici* therefore submit this brief to provide information to this Court about the serious negative effects that the Proclamation has had, and will continue to have, on American institutions of higher education.

Like this Court, *amici* appreciate that "[i]mmigration policy shapes the destiny of the Nation. . . . The history of the United States is in part made of the stories, talents, and lasting contributions of those who crossed oceans and deserts to come here." *Arizona v. United States*, 567 U.S. 387, 415–16 (2012). *Amici*'s member universities know this better than most, as they witness the indelible positive contributions that international students and faculty add to their academic communities every day. American colleges and universities wish to make clear to this Court that the Proclamation's unwelcoming message will impair the cross-border exchange of people and ideas that is critical to their success—and their ability to contribute to the success of the country as a whole.

---

[4] Press Release, Mary Sue Coleman, President, Association of American Universities, *AAU President Comments on Administration's Updated Travel Ban* (Sept. 25, 2017), https://www.aau.edu/newsroom/press-releases/aau-president-comments-administrations-updated-travel-ban.

ARGUMENT

I. Immigration Policy that Sends a Message of Exclusion Profoundly Harms American Colleges and Universities.

Colleges and universities in the United States regularly sit atop the rankings of the world's finest institutions of higher education.[5] This success is no accident. It is the result of many factors, one of which is the historic openness of our campuses to students, scholars, and researchers from all corners of the globe.

As explained below, this openness has resulted in a variety of tangible and intangible benefits—from sizeable economic gains for our local communities to immeasurably important scientific breakthroughs to greater cultural understanding. The Proclamation puts these many benefits at risk because, building upon EO-1 and EO-2, it sends a stark message to the world that America is no longer the welcoming place it has been for the brightest foreign minds.

A. Colleges and Universities, and Their Communities, Rely on the Cross-Border Exchange of People and Ideas.

The consistent success of American institutions arises, in no small part, from their ability to attract the very best students and faculty from the United States and from other countries. "[T]he willingness to assimilate foreigners into American society has

---

[5] *See* Times Higher Education, *World University Rankings 2017-2018*, https://www.timeshighereducation.com/world-university-rankings/2018/world-ranking#!/page/0/length/25/sort_by/rank/sort_order/asc/cols/stats(last visited Mar. 13, 2018).

been part of the nation's strength—a productive force that has added vitality to a maturing culture. The same has been true of U.S. universities' attitudes toward foreign faculty and students with talent."[6] By enticing the sharpest minds to work together on the world's most challenging problems, American institutions are ideally equipped to improve the human condition through medical advances, scientific breakthroughs, new political and economic insights, innovative technologies, and the rich learning experiences that an internationally diverse group of students and teachers helps cultivate.

There are more than one million international students attending American colleges and universities.[7] Consider the following examples from the South, North, East, and West: Rice University hosts 1,632 international students and 871 international scholars.[8] Valencia College's international student population is 1,140 for the school's 2018 spring term.[9] In the fall of 2015, there

---

[6] Jonathan R. Cole, Why American Universities Need Immigrants, The Atlantic (Mar. 7, 2017) https://www.theatlantic.com/education/archive/2017/03/american-universities-need-immigrants/518814/.

[7] Allan E. Goodman, *Coming to America*, Inst. of Int'l Educ., https://www.iie.org/Learn/Blog/2017-July-31-Letter-from-Allan-Goodman (last visited Feb. 21, 2018).

[8] Rice Univ. Office of Int'l Students & Scholars, *International Students and Scholars at Rice*, Statistical Report, Executive Summary (2017), https://oiss.rice.edu/uploadedFiles/Docs/StatReport2017-Public.Version.pdf (last visited Feb. 21, 2018).

[9] Valencia College, *Student Characteristics*, http://valenciacollege.edu/academic-affairs/institutional-effectiveness-planning/institutional-research/Reporting/Strategic-Indicators/StudentCharacteristics.cfm (last visited Feb. 21, 2018).

were 7,737 international students attending Northern Virginia Community College.[10] The University of Bridgeport's 5,000 students include approximately 1,200 international students from over 80 countries.[11] Rutgers University enrolls about 9,000 international students from 125 countries and employs more than 1,200 international scholars from more than 80 countries.[12] More than 12,400 international students can be found on University of Illinois, Urbana-Champaign's campus, along with more than 2,000 international scholars.[13] The University of Colorado Boulder is home to over 3,000 international students from over 91 countries and 796 international scholars from 58 countries.[14] At the

---

[10] Northern Virginia Community College, *International Students*, http://www.nvcc.edu/about/glance/index.html (last visited Feb. 21, 2018).

[11] University of Bridgeport, *Frequently Asked Questions*, http://www.bridgeport.edu/admissions/international/frequently-asked-questions/#A4 (last visited Feb. 21, 2018).

[12] Rutgers University, *Facts & Figures*, https://global.rutgers.edu/about-gaia/facts-figures (last visited Feb. 21, 2018).

[13] Inst. of Int'l Educ., *Open Doors Data, Top 25 Institutions Hosting International Students, 2016/17*, https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Students/Leading-Host-Institutions (last visited Feb. 21, 2018) (hereafter *Open Doors Data, Top 25 Institutions Hosting International Students*); Inst. of Int'l Educ., *Open Doors Data, Institutions Hosting the Most Scholars*, 2016/17, https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Scholars/Institutions-Hosting-the-Most-Scholars (last visited Feb. 21, 2018) (hereafter *Open Doors Data, Leading Institutions Hosting International Scholars*).

[14] University of Colorado Boulder, *International Admissions*, http://www.colorado.edu/international/ (last visited Feb. 21, 2018); University of Colorado Boulder, *International Scholar*

University of California, Los Angeles, 12,199 international students are enrolled in degree programs, and 3,411 international scholars are engaged in teaching and research.[15]

Maintaining international diversity on our campuses is critically important to the success of American colleges and universities. Regular interactions with students and professors who come from different cultures and who have had vastly different life experiences promote both a richer understanding and a deeper appreciation of the world in which we live. Scholars hailing from different countries have confronted different social and political conditions and so can identify different problems to solve—and can see different solutions to offer. Equally important, international diversity challenges all of the members of an academic community to consider and evaluate their assumptions, beliefs, and biases.

This Court has recognized the importance of such diversity, holding that universities have a compelling interest in securing the "'educational benefits that flow from student body diversity.'" *Fisher v. Univ. of Texas at Austin*, 570 U.S. 297, 310 (2013) (quoting *Grutter v. Bollinger*, 539 U.S. 306, 330 (2003)). Campus diversity helps to create and maintain an "atmosphere which is most conducive to speculation, experiment, and creation." *Id.* at 308 (internal quotation marks omitted). This Court has

---

Statistics: July 1, 2015-June 30, 2016, http://www.colorado.edu/isss/sites/default/files/attached-files/international_scholar_statistics_-_charts_2015-2016_0.pdf (last visited Feb. 21, 2018).

[15] *Open Doors Data, Top 25 Institutions Hosting International Students*, *supra* note 12; *Open Doors Data, Leading Institutions Hosting International Scholars*, *supra* note 12.

emphasized that these benefits of diversity are not theoretical. Global diversity is critical to the success of American students as they graduate and enter the modern borderless marketplace. As this Court has explained, "American businesses have made clear that the skills needed in today's increasingly global marketplace can *only* be developed through exposure to widely diverse people, cultures, ideas, and viewpoints." *Grutter*, 539 U.S. at 308 (emphasis added). Accordingly, in order to "'fulfill[] [their] mission[s],'" universities must be able to recruit students—and, by extension, scholars and faculty—who will "contribute the most to the 'robust exchange of ideas.'" *Id.* at 324 (quoting *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 313 (1978)).

For example, Syrian students enrolled at American universities are undoubtedly able to contribute to their peers' understanding of the wide-ranging consequences of the civil war in Syria in a way no textbook or lecture ever could. Similarly, Iranian students offer a unique perspective on the strengths and weaknesses of the nuclear agreement and other aspects of United States foreign policy that students could not absorb by simply reading op-eds in domestic newspapers.

The presence of international scholars and students enriches the experiences of all members of a university community and better prepares students to succeed in and contribute to the global marketplace. Indeed, American colleges and universities would find it extraordinarily difficult to realize the ideals described in their respective missions if students and scholars from countries around the globe could not predictably enter and exit the United States.

The ability of American colleges and universities to attract these gifted, accomplished, and motivated students and scholars depends on ensuring predictable access to and from the United States. This has been true since the beginning of the 20th Century, when American universities collectively emerged as the best in the world.[16] As far back as 1922, for example, the American Association of University Professors noted that restrictive immigration laws have "been attended with such deplorable annoyance to incoming students as to lower the prestige of the United States as a center of education."[17]

The same is true nearly a century later. If our universities cannot assure their students, professors, and researchers that they can come to the United States and then leave the country to visit their families, attend international symposia or conferences, or engage in overseas field research without encountering undue impediments to their return, then these institutions will struggle to maintain the level of talent and experience that makes the United States the world leader in higher education and research and development.

B. International Students and Scholars Strengthen the American Economy and Foreign Policy.

The United States reaps tremendous profits—tangible and intangible—from its colleges' and universities' commitment to welcoming academics,

---

[16] Cole, *supra* note 6.

[17] "Report of the Council." *Bulletin of the American Association of University Professors (1915-1955)* Vol. 8, No. 7, at 9 (Nov., 1922).

researchers, and innovators from around the world. As a matter of pure economics, the enrollment of international students and scholars produces considerable returns for this country. A recent study by one *amicus*, NAFSA: Association of International Educators, determined that the more than 1 million international students studying at American colleges and universities contributed $36.9 billion to the U.S. economy during the 2016–2017 academic year.[18] The same study estimated that, in a single school year, international students created or supported more than 450,000 American jobs.

To take just one state as an example, NAFSA calculated that the 11,527 international students who studied in Colorado during the 2016-2017 school year contributed $429.4 million to that state's economy and supported almost 6,000 jobs.[19] Another study credits the steady stream of international students into the United States for increases in "transnational business creation" and "trade and direct investment between the United States" and those students' countries of origin.[20]

---

[18] NAFSA, *NAFSA International Student Economic Value Tool*, http://www.nafsa.org/Policy_and_Advocacy/Policy_Resources/Policy_Trends_and_Data/NAFSA_International_Student_Economic_Value_Tool/(last visited Feb. 21, 2018); *see also* Press Release, U.S. Dep't of State, Inst. of Int'l Educ., *IIE Releases Open Doors 2017 Data* (Nov. 13, 2017), https://www.iie.org/en/Why-IIE/Announcements/2017-11-13-Open-Doors-Data (citing a U.S. Department of Commerce study that estimates the financial contribution to be more like $39 billion).

[19] NAFSA, *Colorado Benefits from International Students*, https://istart.iu.edu/nafsa/reports/state.cfm?state=CO&year=2016 (last visited Feb. 22, 2018).

[20] Neil G. Ruiz, *The Geography of Foreign Students in U.S. Higher Education: Origins and Destinations* 2, Brookings Inst.

The U.S. economy has been further fueled by foreign-born innovators who came to this country and chose to stay for extended periods of time, but the message of exclusion embodied in the Proclamation unjustifiably raises the risk that these innovators do neither.[21] Between 1995 and 2005, foreign-born innovators "founded" "more than 25 percent of the engineering and technology companies . . . nationwide."[22] Those companies, in turn, "produced $52 billion in sales and employed 450,000 workers."[23] In the same vein, according to one study by the National Foundation for American Policy (NFAP), "[i]mmigrants have started more than half (44 of 87) of America's startup companies valued at $1 billion . . . or more and are key members of management or product development teams in over 70 percent (62 of 87) of these companies."[24] The creation of new companies generates obvious economic benefits for

---

(2014), https://www.brookings.edu/wp-content/uploads/2014/08/Foreign_Students_Final.pdf.

[21] *See, e.g.*, Adams Nager, et al., *The Demographics of Innovation in the United States* 5, Info. Tech. & Innovation Found. (2016), http://www2.itif.org/2016-demographics-of-innovation.pdf?_ga=1.256641800.2049822595.1486928220 (suggesting that more than one third of U.S. innovators were born outside of the country, and another 10 percent have at least one parent who was born abroad).

[22] Michael Greenstone, Adam Looney & Harrison Marks, *The U.S. Immigration System: Potential Benefits of Reform*, The Hamilton Project, 4-5 (2012), http://www.hamiltonproject.org/assets/legacy/files/downloads_and_links/05_immigration_greenstone_looney.pdf

[23] *Id.* at 5.

[24] Stuart Anderson, *Immigrants and Billion Dollar Startups*, Nat'l Found. for Am. Policy 1 (March 2016), http://nfap.com/wp-content/uploads/2016/03/Immigrants-and-Billion-Dollar-Startups.NFAP-Policy-Brief.March-2016.pdf.

the United States, including considerable job growth. Each $1 billion startup in the NFAP study has "created an average of approximately 760 jobs . . . in the United States."[25]

Foreign-born students who study at American educational institutions and then begin working in science, technology, engineering, and mathematics ("STEM") fields have made particularly significant contributions to the U.S. economy. In 2013, international students accounted for nearly two-fifths (39%) of Ph.D. candidates in STEM subjects, and a recent study estimates that the percentage will climb above 50% by 2020.[26] When these students graduate, approximately 48% hope to stay in the United States to work.[27] Even with this steady influx of international talent, the pipeline of STEM students in this country is not expected to be wide enough to keep up with the rapidly expanding number of STEM jobs available.[28]

The recruitment of additional STEM students translates into far larger benefits for the country at large. An increase in the number of STEM workers

---

[25] *Id.*

[26] Xueying Han & Richard P. Appelbaum, *Will They Stay or Will They Go? International STEM Students Are Up for Grabs*, Ewing Marion Kauffman Found., 3 (2016), http://www.kauffman.org/~/media/kauffman_org/research%20reports%20and%20covers/2016/stem_students_final.pdf. If that growth is impeded, the U.S. will lose talent to other nations.

[27] *Id.* at 19.

[28] Lylah Alphonse, *New STEM Index Find's America's STEM Talent Pool Still Too Shallow To Meet Demand*, U.S. News & World Report (Apr. 23, 2014, 7:00 AM), http://www.usnews.com/news/stem-index/articles/2014/04/23/new-stem-index-finds-americas-stem-talent-pool-still-too-shallow-to-meet-demand.

in a metropolitan area is "strongly associated with higher patents per worker (an indicator of innovation), lower unemployment, a lower rate of job losses during . . . recession[s] . . . , higher exports as a share of gross domestic product (GDP) (a measure of international competitiveness), and higher incomes."[29] The same goes for median household incomes and average wages, both of which tend to be higher "in STEM-oriented economies."[30] Consistent with these general trends, one study estimates that "patent activity by high-skilled immigrants in the 1990s increased U.S. GDP per capita" by between 1.4% and 2.4%—or $481 to $825 per person.[31]

The United States can ill afford to lose these STEM students and faculty to other countries. Even the perception that the United States is an unreliable place to pursue education has a dire impact. In a recent interview with an American newspaper, one of the aforementioned Nobel laureates "credited American openness with bringing top scientists to the country."[32] The American scientific community will remain strong only, he said, "as long as we don't . . . turn our back on immigration."[33]

---

[29] Jonathan Rothwell, *The Hidden STEM Economy*, Brookings Inst. 15 (2013), www.brookings.edu/wp-content/uploads/2016/06/TheHiddenSTEMEconomy610.pdf.

[30] *Id.* at 16.

[31] Greenstone, *supra* note 21, at 5.

[32] Rafael Bernal, *Amid Debate, All 2016 American Nobel Laureates Are Immigrants*, The Hill (Oct. 10, 2016, 2:29 PM), http://thehill.com/latino/300237-all-american-2016-nobel-prize-honorees-are-immigrants.

[33] *Id.* (internal quotation marks omitted).

Right now, there is a "global bidding war" for talented international students, particularly in the STEM fields.[34] Foreign countries give substantial cash bonuses and other benefits to international scholars to entice them to leave the United States.[35] When United States immigration policy manifests a message of exclusion—not to mention an actual, indefinite exclusionary effect, as here—fewer students and scholars choose to attend our universities. They instead go to other countries where they are welcomed and embraced. After 9/11, for example, when the United States also placed restrictions on student visas, our institutions of higher learning saw significant drop-offs in their international populations.[36]

Finally, the education of foreign-born students and the collaboration between American students and foreign-born scholars present the United States with an opportunity to promote the ideals that, together, make up the social, political, and cultural fabric of this country. International students and scholars who come to the United States to engage in various activities on our academic campuses are exposed to our democratic principles and our norms of tolerance

---

[34] Kevin Sullivan, *Other Countries Court Skilled Immigrants Frustrated by U.S. Visa Laws*, Wash. Post (Feb. 18, 2013), https://www.washingtonpost.com/national/other-countries-court-skilled-immigrants-frustrated-by-us-visa-laws/2013/02/18/73d9f7ce-7137-11e2-ac36-3d8d9dcaa2e2_story.html?utm_term=.68283185f1f1.

[35] *Id.*

[36] NAFSA, *Restoring U.S. Competitiveness For International Students and Scholars* 5 (2006), http://www.nafsa.org/uploadedFiles/NAFSA_Home/Resource_Library_Assets/Public_Policy/restoring_u.s.pdf (last visited Feb. 22, 2018).

and respect. They witness American society's steadfast commitment to human rights, our emphasis on education, and our dedication to the rule of law.

These values, in turn, transmit around the world, to the benefit of the United States, when these individuals depart this country. Juan Manuel Santos, the president of Colombia and the 2016 Nobel Peace Prize winner, holds degrees from the University of Kansas (bachelor's degree in economics and business administration) and Harvard University (master's degree in public administration). The University of Michigan counts the former prime ministers of Antigua, Egypt, Italy, and Peru among its alumni. In the last Indonesian administration alone, the Cabinet included three officials who attended American universities—the defense minister (University of California-Berkeley), the finance minister (University of Pennsylvania), and the trade minister (University of California-Davis)—plus two officials who attended other American universities.[37] As one article explains, "the governors of the central banks of Europe, England, Israel, Argentina, India, and Mexico all have American degrees. Though the governors of the central banks of China and Russia don't have American degrees, each did spend a year studying at an American university. Though the benefits from these educational exports are difficult to quantify,

---

[37] The justice minister attended American University, and the energy minister attended the University of Colorado School of Mines. Ben Wolfgang, *Armed with U.S. Education, Many Leaders Take On World*, Wash. Times (Aug. 19, 2012), http://www.washingtontimes.com/news/2012/aug/19/armed-with-us-education-many-leaders-take-on-world/.

presumably some diplomatic goodwill in foreign governments across the globe is a result."[38]

Other colleges and universities could boast a comparable list of auspicious foreign government officials. These world leaders, along with countless other individuals, have come to the United States, engaged in the vigorous exchange of ideas for which this country is known, and then returned to their countries steeped in American democratic principles and culture.[39] They embody the achievements and benefits to American interests that occur when international students and scholars engage with American educational institutions.

II. The Proclamation Adversely Affects Academic Exchange with International Students and Scholars.

Upholding the legality of the Proclamation would have serious implications for *amici*'s students,

---

[38] Dick Startz, *Sealing the border redux: American universities are losing international students*, Brookings Institution (Feb. 7, 2018), https://www.brookings.edu/blog/brown-center-chalkboard/2018/02/07/sealing-the-border-redux-american-universities-are-losing-international-students/.

[39] The importance of a free-flowing exchange of students, scholars, and ideas is reflected in longstanding federal law and policy. In 1961, the government established a special non-immigrant visa program to encourage young leaders, entrepreneurs, research scholars, and professors to come to the United States and engage in "educational and cultural exchange[]." *Common Questions*, U.S. Dep't of State, J-1 Visa Exchange Visitor Program, https://j1visa.state.gov/basics/common-questions/ (last visited Feb. 21, 2018). This program, called the J-1 Visa Program, expressly instructs visitors who have completed the program to "return to their home country . . . to share their exchange experiences." *Id.*

scholars, and faculty. It would impair the ability of American educational institutions to draw the finest international talent and reap the attendant benefits. It would divide students and scholars who were able to enter the U.S. from their families who could not. And it would inhibit the open academic exchange that is so vital to modern higher education and our national interests.

According to the Institute of International Education's 2017 Open Doors Report,[40] in 2016-2017, approximately 15,400 students and 2,100 professors or researchers in the United States came from one of the eight countries specified in the Proclamation:

	66	**4**	**70**
	12,643	1,977	14,620
	1,311	64	1,375
	8	0	8
	50	5	55
	827	123	950
	8,540	269	8,809
	658	17	675

[40] Inst. of Int'l Educ., *Open Doors 2017*, https://www.iie.org/Research-and-Insights/Open-Doors/Open-Doors-2017-Media-Information.

[redacted]	24,103	2,459	26,562

Amici's members also host and employ many nationals of the eight specified countries, including:

- An activist and journalist who helped galvanize Yemeni support for the Arab Spring and has been appointed a visiting lecturer on public policy;
- A Syrian trauma surgeon who was instrumental in coordinating NGO support for medical care to casualties of the civil war and is now assessing the relative availability and quality of trauma care at Syrian hospitals;
- An Iranian professor who previously worked at a leading European architectural firm, taught throughout Europe, and received numerous awards and appointments for her contributions to the field;
- A Syrian professor and recipient of a MacArthur "Genius" grant who has, among other things, founded a company that develops systems to monitor vital signs to detect the onset of illness in the elderly;
- An Iranian medical professor who has developed novel methods for studying the long-term risks of myocardial infarction and stroke following blood infection;
- A Syrian neuroscientist who researches the neurobiology of pain, anxiety, depression, and substance abuse; is co-director of a respected institute on molecular and behavioral neuroscience; and has been elected to the National Academy of Science; and

- An Iranian mathematician who was the first woman to win the Fields Prize, the most prestigious prize in mathematics.

Talented students and scholars like these have felt the Proclamation's serious effects.

A. International Students and Scholars Have Been Directly Affected by the Successive Travel Bans.

The continuing adverse impacts of the Proclamation, EO-1, and EO-2 demonstrate the damage that the Proclamation's indefinite entry ban would inflict on American educational institutions. Students and scholars at American colleges and universities have been locked out of the United States. These included undergraduates who were simply trying to return to campus after spending their winter breaks with their families.[41] One Harvard graduate student published an eloquent editorial describing his fears about leaving the country and his sorrow about the effects that such a ban would have on "thousands who, unlike me, might never get to experience America at its best."[42] Graduate students who hoped to continue their

---

[41] *See, e.g.*, Stephanie Ebbert, *MIT Engineering Student From Iran Not Allowed To Reenter US*, Boston Globe (Jan. 31, 2017), http://www.bostonglobe.com/metro/2017/01/31/mit-engineering-student-from-iran-barred-entry-into/fQBJ7kLIhY7P79YNKVKtTN/story.html; Anya Kamenetz, *Students Stranded Worldwide By Trump Order*, NPR (Jan. 30, 2017), http://www.npr.org/sections/ed/2017/01/30/512431112/students-stranded-worldwide-by-trump-order.

[42] Ziad Reslan, *Harvard Student: 'I Worry If I Leave, I Won't Be Let Back In'*, N.Y. Times (Feb. 2, 2017, 11:34 AM), https://kristof.blogs.nytimes.com/2017/02/02/harvard-student-i-worry-if-i-leave-i-wont-be-let-back-in/?_r=2.

advanced study and research at *amici*'s member institutions also were kept from entering the United States.[43] And finally, students who had been offered admission but not yet started at universities never got that chance. For example, at least two prospective students from the identified countries had been admitted to MIT for the fall via early action at the time EO-1 was enacted. One, an 18-year-old from Damascus, was reported on in the media.[44] After dreaming for years of earning an engineering degree from MIT, the student was accepted for the class of 2021. But when EO-1 was signed, his ability to attend MIT became uncertain. As he explained it: "'My dreams are basically ruined.'"[45]

At Hood College, 16% of international graduate students with F-1 visas contacted the graduate school within 48 hours of the announcement of EO-1, expressing concern, fear, and panic. And Grinnell College lost a committed student who withdrew to enroll at a school in Canada and a current student who transferred to a school in Canada, citing concerns about safety and the national climate for international students.

When EO-1 went into effect, it also impeded plans for academic conferences and other collaborations. For example, the Columbia Law School Human

---

[43] *See* Milton J. Valencia, *Boston-Bound Iranian Scientist with Visa Sues US over Ban*, Boston Globe (Feb. 2, 2017), https://www.bostonglobe.com/metro/2017/02/01/iranian-scientist-with-visa-and-bound-for-boston-sues-over-ban/v0rRMIatsOfITzY0sr8EvL/story.html.

[44] *See* Justin Lear, *A Syrian Teen Was Headed to MIT and Then Came the Ban*, CNN.com (Jan. 29, 2017, 1:34 PM), http://www.cnn.com/2017/01/29/us/mit-syria-student-ban-trnd/.

[45] *Id.*

Rights Clinic, in an effort to research the mental health effects associated with the violent conflict in Yemen, had been organizing an interdisciplinary workshop to be held in New York to bring together leading researchers from Yemen, the United States, and other countries to design a new study to investigate and improve mental health in Yemen. Because of EO-1, the workshop was initially cancelled, and was then delayed by a number of months, as the researchers explored hosting it in another country and waited for the outcome of litigation on the ban. This disrupted the progress of the research and imposed significant administrative, financial, and logistical burdens. The disruption also resulted in some participants being unable to attend the workshop.[46]

After the Government issued EO-2, this Court recognized these serious effects on academic institutions. It expressly prevented the government from enforcing EO-2 against students, workers, and lecturers who have a bona fide relationship with the

---

[46] Collin Binkley, *Travel Ban Throws Research, Academic Exchange into Turmoil*, Associated Press (Jan. 31, 2017), https://apnews.com/43b52752391f45c8a416ec6f8928a02c; Dana Llebelson, *Trump's New Travel Ban Could Hinder Research On HIV And Mental Health*, Huffington Post (Mar. 7, 2017, 6:20 PM), http://www.huffingtonpost.com/entry/trump-travel-ban-science-research_us_58bf2623e4b0d1078ca1debe; Written Statement of Columbia Law Student Kate Berry, *The Muslim Ban: What You Need To Know: Senate Briefing* (Feb. 14, 2017), https://www.scribd.com/document/339524897/Kate-Berry-Senate-Briefing-on-Immigration-Order; Testimony of Waleed Alhariri, *The Muslim Ban: What You Need To Know: Senate Briefing* (Feb. 14, 2017), https://www.scribd.com/document/339525433/Waleed-Alhariri-Immigration-Order.

United States by virtue of having accepted offers of admission or employment at American universities. *See Trump v. Int'l Refugee Assistance Project*, 137 S. Ct. 2080, 2088 (2017). But without such relief in place *permanently*, the above examples demonstrate the severe effects the Proclamation would have on American universities and on the international students, scholars, and faculty they welcome each semester. This is especially true because the Proclamation imposes an indefinite, rather than a temporary, ban on entry.

This Court has rightly recognized that "[i]mmigration policy can affect trade, investment, tourism, and diplomatic relations for the entire Nation, as well as the perceptions and expectations of aliens in this country who seek the full protection of its laws. Perceived mistreatment of aliens in the United States may lead to harmful reciprocal treatment of American citizens abroad." *Arizona*, 567 U.S. at 395 (citation omitted). Our colleges and universities flourish when the international students and faculty who study and teach within their gates perceive that this country welcomes them and that they are fully protected by its laws. The inhospitable policy that infects the Proclamation will have deleterious consequences for higher education far beyond the direct impact it might have on those from the eight named countries who would be barred from studying at and teaching on our campuses.

B. The Proclamation Will Have Continuing Adverse Effects on American Colleges and Universities and, by Extension, Our National Interests.

The Proclamation, like EO-1 and EO-2, promises to have detrimental effects on critical academic exchange by inhibiting the free cross-border exchange of ideas; dividing students and scholars from their families; and impairing the ability of American educational institutions to draw the finest international talent and reap the attendant benefits that are critical to the success of American educational institutions and broader national interests.

The Proclamation has already affected the ability of many American colleges and universities to attract and educate the best and brightest foreign students. Recognizing that the full impact of the Proclamation on higher education matriculation in the United States will not be understood for some time, there is little doubt that the Proclamation, like EO-1 and EO-2, has already deterred students from attending American colleges and universities. Multiple recent studies have shown continuing declines in the number of international students and scholars attending U.S. academic institutions. In January 2018, the Council of Graduate Schools issued a report concluding that "[f]or the first time in more than a decade, both international graduate applications and first-time enrollment at U.S. institutions declined," especially in master's and certificate programs.[47] The

---

[47]Hironao Okahana & Enyu Zhou, *International Graduate Applications and Enrollment: Fall 2017*, Council of Graduate

National Science Foundation found a notable drop in international students in the United States from fall 2016 to 2017—a 2.2% decrease at the undergraduate level, and a 5.5% decrease at the graduate level.[48] A recent National Foundation for American Policy (NFAP) study found, "The number of international students enrolled at U.S. universities declined by approximately 4% between 2016 and 2017, according to an analysis of U.S. Department of Homeland Security data." The study also notes, "The number of international students enrolled at the graduate level in science and engineering fell by 14,730, or 6%, between 2016 and 2017, which represented about half of the overall drop in international students."[49] And

---

Schools 3 (January 2018), http://cgsnet.org/ckfinder/userfiles/files/Intl_Survey_Report_Fall 2017.pdf; *see also* Press Release, Council of Graduate Schools, *For First Time in over a Decade, International Graduate Applications and Enrollments Decline at U.S. Institutions* (January 30, 2018), http://cgsnet.org/first-time-over-decade-international-graduate-applications-and-enrollments-decline-us-institutions ("Recent changes in immigration policy, including the executive order barring entry or return of U.S. visa holders from specific countries, are being closely watched by members of the graduate education community.").

[48] Elizabeth Redden, *International Student Numbers Decline*, Inside Higher Ed (January 22, 2018), https://www.insidehighered.com/news/2018/01/22/nsf-report-documents-declines-international-enrollments-after-years-growth.

[49] Stuart Anderson, *Guess Who's Not Coming to America? International Students*, Forbes (Mar. 2, 2018, 12:07 AM) (citation omitted) https://www.forbes.com/sites/stuartanderson/2018/03/02/guess-whos-not-coming-to-america-international-students/#57fa14a13c3e.

an Institute of International Education survey shows an overall flattening of the number of international students in the United States, with a decline of 6.9% in international students enrolling for the first time in an American school.[50] This was the first time that the Institute of International Education recorded a drop in new-student enrollment compared to the previous year.[51]

These declines are not happenstance; they are continuations of patterns that began more than a year ago when the first suspension on entry went into effect. One survey of 250 colleges and universities taken shortly after EO-1 was announced found that 39% of responding institutions reported a decline in international applications, with the highest declines in applications from the Middle East.[52] Another

---

[50] Julie Baer, *Fall 2017 International Student Enrollment Hot Topics Survey*, Inst. of Int'l Educ. (Nov. 2017), https://www.iie.org/-/media/Files/Corporate/Open-Doors/Special-Reports/Fall-2017-Hot-Topics-Report.ashx?la=en&hash=9C21EEDC2F4EA4F2BB11F3B14E30106BCF87253C; *see also* Elizabeth Redden, *New International Enrollments Decline*, Inside Higher Ed (Nov. 13, 2017), https://www.insidehighered.com/news/2017/11/13/us-universities-report-declines-enrollments-new-international-students-study-abroad; *accord* Nell Gluckman, *Loss of Global Prestige: The United States' appeal as a study-abroad destination may be waning*, The Chronicle of Higher Education (Mar. 4, 2018), https://www.chronicle.com/article/More-International-Students/242673 ("A survey conducted last year by Royall & Company showed that about a third of prospective international students had less interest in studying in the United States because of the political climate.").

[51] Gluckman, *supra* note 50.

[52] AACRAO, *Trending Topics Survey: International Applicants for Fall 2017—Institutional & Applicant Perceptions* 1-2 (Mar. 13, 2017), http://www.aacrao.org/docs/default-

article reported that university administrators quickly saw a precipitous and unprecedented drop in the number of applications to graduate programs in engineering.[53] That article explained that "[u]niversity administrators worry that the declines, as much as 30% from 2016 levels in some programs, reflect heightened fears among foreign-born students that the United States is tightening its borders."[54] According to data provided by universities to the Associated Press, moreover, nearly half of the nation's largest 25 public universities have seen stagnation or decline in undergraduate applications.[55] And master's programs in particular have seen an even greater plunge.[56] Interviews with officials at

---

source/TrendTopic/Immigration/intl-survey-results-released.pdf?sfvrsn=0; *see also* Stephanie Saul, *Amid 'Trump Effect' Fear, 40% of Colleges See Dip in Foreign Applicants*, N.Y. Times (Mar. 16, 2017), https://www.nytimes.com/2017/03/16/us/international-students-us-colleges-trump.html.

[53] Jeffrey Mervis, *Drop in Foreign Applicants Worries U.S. Engineering Schools*, Science (Feb. 14, 2017, 3:30 PM), http://www.sciencemag.org/news/2017/02/drop-foreign-applicants-worries-us-engineering-schools.

[54] *Id.*

[55] Associated Press, *Trump impact: As international student numbers fall, US universities send out welcome messages*, Hindustan Times (May 4, 2017, 3:28 PM), http://www.hindustantimes.com/education/trump-impact-as-international-student-numbers-fall-us-universities-send-out-welcome-messages/story-HV1V6plE1JN1wcoW4xZXLI.html.

[56] Karin Fischer, *Assessing the Travel Ban: What New Data on Overseas Recruitment Does—and Doesn't—Tell Us*, The Chronicle of Higher Education (July 6, 2017), http://www.chronicle.com/article/Assessing-the-Travel-Ban-What/240548?cid=pm&utm_source=pm&utm_medium=en&elqTrackId=6b61ad40bfdb4ed79346b528fb25c742&elq=d2c5dee906b

two dozen universities revealed as much as a 30% to 50% drop in international enrollments for new students.[57]

In addition, universities across the country will lose highly competitive candidates from the affected countries to institutions outside of the United States if the Proclamation's indefinite suspension remains in effect. Britain, Canada, France, and Germany have all launched funding programs to recruit foreign researchers away from U.S. universities.[58] Canadian universities have seen increases in international applications.[59] Universities have modified their admissions and recruitment strategies to try to address potential declines,[60] most broadly by "scrambling to convince an important and

---

c4e24a17f4325861b7a62&elqaid=14620&elqat=1&elqCampaignId=6176.

[57] Elizabeth Redden, *International Enrollments: From Flat to Way Down*, Inside Higher Ed (Sept. 5, 2017), https://www.insidehighered.com/news/2017/09/05/some-universities-are-reporting-declines-international-enrollments-ranging-modest?utm_source=Inside+Higher+Ed&utm_campaign=6ba820df5e-DNU20170905&utm_medium=email&utm_term=0_1fcbc04421-6ba820df5e-197444557&mc_cid=6ba820df5e&mc_eid=fb069a4893.

[58] Elizabeth Redden, *Ready to Go Expat?*, Inside Higher Ed (July 26, 2017), https://www.insidehighered.com/news/2017/07/26/several-countries-launch-campaigns-recruit-research-talent-us-and-elsewhere?utm_source=Inside+Higher+Ed&utm_campaign=7c2537cc65-DNU20170726&utm_medium=email&utm_term=0_1fcbc04421-7c2537cc65-197444557&mc_cid=7c2537cc65&mc_eid=fb069a4893.

[59] Ann Saphir, *Trump's travel bans spook some students, fan fears of broader chill*, Reuters (May 16, 2017, 1:10 AM), http://www.reuters.com/article/us-usa-immigration-students-idUSKCN18C0BK.

[60] Fischer, *supra* note 56.

increasingly lucrative audience—international students and their families—that the United States remains a welcoming place"[61] and "assur[ing] prospective students and their family members that the United States is a welcoming place for people from around the world."[62] But continued uncertainty only makes that task more difficult: One recent survey of campus chief executives, for example, found that 69% of those executives agreed that the current administration's rhetoric on immigration "has made it more difficult for my college to recruit international students."[63]

The consequences to American educational institutions and our broader national interests are

---

[61] Karin Fischer, *Trump Unveils Revamped Travel Ban*, The Chronicle of Higher Education (Sept. 24, 2017), https://www.chronicle.com/article/Trump-Unveils-Revamped-Travel/241283?cid=rclink.

[62] Bianca Quilantan, *International Grad Students' Interest in American Higher Ed Marks First Decline in 14 Years*, The Chronicle of Higher Education (Jan. 30, 2018) (quotation omitted), https://www.chronicle.com/article/International-Grad-Students-/242377; see also Redden *supra* note 55.

[63] Doug Lederman, *Leading in Turbulent Times: A Survey of Presidents*, Inside Higher Ed (Mar. 9, 2018),https://www.insidehighered.com/news/survey/survey-college-presidents-finds-worry-about-public-attitudes-confidence-finances. Reports that the current administration is considering visa restrictions on Chinese citizens, who account for close to a third of international students on U.S. campuses, have only compounded fears of the "devastating" effects U.S. immigration policy could have on American educational institutions. *See* Elizabeth Redden, *Will U.S. Restrict Visas for Chinese Students?*, Inside Higher Ed (Mar. 16, 2018), https://www.insidehighered.com/news/2018/03/16/reports-trump-administration-considering-limits-visas-chinese-citizens-cause-concern.

not (so to speak) academic. They are quite real. Educational institutions have faced increasing financial challenges as "[t]he number of visas issued to foreign students fell markedly" in 2017.[64] Colleges and universities, particularly in the Midwest, have been forced to make budget cuts due to declines in international students.[65] And educational institutions are unevenly affected.[66] "[I]nternational enrollments continue to climb at some universities (typically elite or flagship public universities), while international enrollments plummet at others (typically smaller, less prestigious institutions). The resulting budget cuts at the latter often hit in the areas that are already under the most financial stress."[67]

The various travel bans have had equally detrimental effects on recruiting and retention of

---

[64] Lauren Meckler and Melissa Korn, *Visas Issued to Foreign Students Fall, Partly Due to Trump Immigration Policy*, Wall Street Journal (Mar. 11, 2018), https://www.wsj.com/articles/visas-issued-to-foreign-students-fall-partly-due-to-trump-immigration-policy-1520766000; *accord* Michael Gerson, *Trump is bent on destroying one of our winningest exports*, Washington Post (Mar. 20, 2018), https://www.washingtonpost.com/opinions/trump-is-bent-on-destroying-one-of-our-winningest-exports/2018/03/19/8a6292d6-2bb2-11e8-8ad6-fbc50284fce8_story.html.

[65] Stephanie Saul, *As Flow of Foreign Students Wanes, U.S. Universities Feel the Sting*, N.Y. Times (Jan. 2, 2018), https://www.nytimes.com/2018/01/02/us/international-enrollment-drop.html.

[66] Marà Rose Williams, *Fewer international students are enrolling in Midwest colleges. At what cost?*, The Kansas City Star (Jan. 13, 2018, 7:00 AM), http://www.kansascity.com/news/local/article194500944.html.

[67] Startz, *supra* note 37.

international scholars. Shortly after EO-1 was enacted, more than 3,000 international scholars signed a petition to "boycott international academic conferences held in the United States in solidarity with those affected by" the ban.[68] This proposed boycott was not a hollow threat. Nor was it a mere political statement. The Proclamation, like EO-1 and EO-2, creates a broad fear of unreliable immigration policy that discourages scholars from choosing to come to this country rather than another. An Inside Higher Ed review of U.S. State Department visa data "shows big drops both in the number of students on F-1 visas and travelers on short-term B-1 and B1/B2 visas—a category that would include but not be limited to academics traveling for conferences—from countries directly affected by the various travel bans."[69]

The Proclamation perpetuates the prior orders' message of exclusion, which deters foreign academics who wish to come to the United States to foster collaborative study. More than 43,000 American scholars—including 62 Nobel Laureates; 146 recipients of prestigious awards like the Fields Medal, Pulitzer Prize, and MacArthur Fellowship; and 521 Members of the National Academies of Sciences, Engineering, and Arts—explained in an online petition that the travel ban "limits collaborations with researchers from these nations by restricting entry of these researchers to the US and can potentially lead to departure of many talented

---

[68] Elizabeth Redden, *Boycotting the U.S.*, Inside Higher Ed (Jan. 31, 2017), https://www.insidehighered.com/news/2017/01/31/protest-trump-entry-ban-some-scholars-are-boycotting-us-based-conferences.

[69] Redden, *supra* note 3.

individuals who are current and future researchers and entrepreneurs in the US." [70] The loss of this talent would be incalculable. These accomplished scholars "strongly believe the immediate and long term consequences of this EO do not serve our national interests."[71]

It is difficult to overstate the importance of conferences, colloquia, and symposia to scholarly communication. They enable intellectual give-and-take and real-time digestion and discussion of research. Conferences also allow for in-person encounters and discussions that give rise to important future collaborations. This kind of face-to-face collaboration is particularly important to scientific research. As the CEO of the American Association for the Advancement of Science (and former Assistant Director of the Princeton Plasma Physics Laboratory at Princeton University, head of the Nuclear and Scientific Division of the Office of Strategic Forces at the U.S. Department of State, and Swarthmore College professor) has stated: "Freedom of communication is absolutely essential for science to function . . . . It's not just nice for people to attend conferences and communicate in person, it's part of the practice of science. And being able to have scientists from diverse backgrounds and viewpoints, that's essential to the practice of good science."[72] The prospect of barred entry, and of retaliation and

---

[70] Academics Against Immigration Executive Order, https://notoimmigrationban.com/ (last visited Feb. 21, 2017).

[71] *Id.*

[72] Chelsea Whyte, *Trump's Travel Ban Is Already Stopping Scientific Collaboration*, New Scientist (Jan. 31, 2017), https://www.newscientist.com/article/2119910-trumps-travel-ban-is-already-stopping-scientific-collaboration/.

boycotts, means lost opportunities for the expansion of knowledge and scientific discovery. And American universities risk being removed from the epicenter where cutting-edge ideas are discussed. The Proclamation puts all of these benefits in jeopardy.

The Proclamation also would impair the ability of American colleges and universities to recruit foreign students, faculty, and scholars by indefinitely separating them from their families abroad. *See Int'l Refugee Assistance Project v. Trump*, 883 F.3d 233, 271 (4th Cir. 2018) ("[T]he Proclamation's invisible yet impenetrable barrier denies the possibility of a complete, intact family to tens of thousands of Americans."); *Hawaii v. Trump*, 878 F.3d 662, 699 (9th Cir. 2017) (citing "prolonged separation from family members" as an irreparable harm). The aforementioned petitioning scholars offer this as a powerful reason for why foreign academics may be unwilling to teach at an American university in the future:

> The implementation of this EO will necessarily tear families apart by restricting entry for family members who live outside of the US and limiting the ability to travel for those who reside and work in the US.[73]

Given those working conditions, many scholars will choose not to teach in this country.

Finally, the unwelcoming message sent by the Proclamation likely will deter students, scholars, and faculty from countries *not* currently covered by the Proclamation from travelling to and from the United

---

[73] *See* Academics Against Immigration Executive Order, *supra* note 66.

States for academic purposes. To take just one example, the University of Rochester's Division of Solid Organ Transplantation recently hired a Saudi Arabian hepatologist who is now concerned about his future here. What is more, the Division's Chief of Solid Organ Transplantation, a Mexican national, is a world-renowned liver-transplant surgeon who has recruited an international team (including the doctor from Saudi Arabia) to join him. In the first six months that he has been at the University of Rochester, the surgeon has doubled the number of liver transplants performed at the University's medical center. The Proclamation puts that work—and this surgeon's ability to attract the talented foreign doctors who assist him in it—in severe jeopardy, even though he and his colleagues do not hail from the eight countries listed in the Proclamation. In fact, he had standing invitations to give talks at conferences in Canada, Argentina, Germany, and the Czech Republic, but he put them on hold out of fear that the ban will be expanded or that he will face increased scrutiny returning to the country.

These fears are understandable. Although there are reportedly no plans in place to add to the list of restricted countries, the Proclamation provides for this possibility. Proclamation § 4(c) ("The Secretary of Homeland Security, the Secretary of State, or the Attorney General may also, as provided for in Executive Order 13780, submit to the President the names of additional countries for which any of them recommends any lawful restrictions or limitations deemed necessary for the security or welfare of the United States."). Indeed, the President already used the identical clause in EO-2 to add a new country to the Proclamation. And the Proclamation is also more

severe than EO-1 and EO-2 in that it makes the ban indefinite. What is more, recent reports indicate that the Administration is considering additional visa restrictions on Chinese students.[74] Given this uncertainty, individuals from a wide range of nations may fear—quite reasonably—that their countries might be the next additions to the list. Foreign scholars and students may not be willing to risk being stranded here or abroad, even if they must instead change plans and go elsewhere to gain an education, engage young minds, conduct research, or perform vital medical services at teaching hospitals.

CONCLUSION

American colleges and universities "have a mission of 'global engagement' and rely on . . . visiting students, scholars, and faculty to advance their educational goals." *Washington v. Trump*, 847 F.3d 1151, 1160 (9th Cir. 2017). That vital mission cannot be achieved if American immigration policy no longer sends a welcoming message to the members of the international community who wish to enter our campus gates. As explained above, the Proclamation jeopardizes the many contributions that foreign students, scholars, and researchers make to American colleges and universities, as well as our nation's economy and general well-being. In light of those risks and for the foregoing reasons, *amici* respectfully submit that the Ninth Circuit's decision should be affirmed.

---

[74] Redden, *supra* note 63.

March 29, 2018

Respectfully submitted,

COUNSEL FOR *AMICUS CURIAE* AMERICAN COUNCIL ON EDUCATION AND 32 OTHER HIGHER EDUCATION ASSOCIATIONS

Brad D. Brian
Michael R. Doyen
Munger, Tolles & Olson LLP
355 South Grand Avenue
35th Floor
Los Angeles, CA 90071
(213) 683-9100

/s/ Chad Golder
Chad Golder
Counsel of Record
Adele M. El-Khouri
Munger, Tolles & Olson LLP
1155 F Street, NW
7th Floor
Washington, DC 20004
(202) 220-1100
chad.golder@mto.com

ADDENDUM

ADDENDUM: *AMICI* ON THIS BRIEF

- **American Council on Education (ACE)**. See description at page 1 of brief.
- The **Association of American Universities (AAU)** is a non-profit organization, founded in 1900 to advance the international standing of United States research universities. AAU's mission is to shape policy for higher education, science, and innovation; promote best practices in undergraduate and graduate education; and strengthen the contributions of research universities to society. Its members include 62 public and private research universities.
- The **Accreditation Council for Pharmacy Education (ACPE)** is the national agency for the accreditation of professional degree programs in pharmacy and providers of continuing pharmacy education. ACPE also offers evaluation and certification of professional degree programs internationally and with ASHP accredits pharmacy technician education and training programs.
- **ACT** is a mission-driven, nonprofit organization dedicated to helping people achieve education and workplace success. Headquartered in Iowa City, Iowa, ACT is trusted as a national leader in college and career readiness, providing high-quality assessments grounded in nearly 60 years of research. ACT offers a uniquely integrated set of solutions designed to provide personalized insights that help individuals succeed from elementary school through career.
- The **American Association of Collegiate Registrars and Admissions Officers**

(AACRAO), founded in 1910, is a non-profit, voluntary, professional association of more than 11,000 higher education professionals who represent approximately 2,600 institutions in more than 40 countries. Its mission is to provide professional development, guidelines, and voluntary standards to be used by higher education officials regarding the best practices in records management, admissions, enrollment management, administrative information technology, and student services. AACRAO represents institutions in every part of the higher education community, from large public institutions to small, private liberal arts colleges.

- The **American Association of Community Colleges (AACC)** is the primary advocacy organization for the nation's community colleges. It represents more than 1,100 two-year, associate degree-granting institutions.
- The **American Association of State Colleges and Universities (AASCU)** includes as members more than 400 public colleges, universities, and systems whose members share a learning- and teaching-centered culture, a historic commitment to underserved student populations, and a dedication to research and creativity that advances their regions' economic progress and cultural development.
- The **American Association of University Professors (AAUP)** is a non-profit organization of over 40,000 faculty, librarians, graduate students, and academic professionals. Its purpose is to advance academic freedom, the free exchange of ideas in higher education, and shared university governance; to define fundamental

professional values and standards for higher education; and to ensure higher education's contribution to the common good.

- The **American Indian Higher Education Consortium (AIHEC)** is the unifying voice of our nation's 37 Tribal Colleges and Universities—federally recognized public institutions working to strengthen tribal nations and make a lasting difference in the lives of American Indians and Alaska Natives. Through public policy, advocacy, research, and program initiatives, AIHEC strives to ensure strong tribal sovereignty through excellence in American Indian higher education.
- The **American Speech-Language-Hearing Association (ASHA)** is the national professional, scientific, and credentialing association for 198,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students.
- The **Association of American Colleges and Universities (AAC&U)** has approximately 1,400 member institutions, including accredited public and private colleges, community colleges, and universities of every type and size. Its mission is to reinforce commitment to liberal education and inclusive excellence in service to democracy.
- The **Association of American Law Schools (AALS)**, founded in 1900, is a nonprofit association of 179 law schools. Its members enroll most of the nation's law students and produce the majority of the country's lawyers and judges, as well as many of its lawmakers. The mission of

AALS is to uphold and advance excellence in legal education. In support of this mission, AALS promotes the core values of excellence in teaching and scholarship, academic freedom, and diversity, including diversity of backgrounds and viewpoints, while seeking to improve the legal profession, to foster justice, and to serve our many communities–local, national and international.

- The **Association of Catholic Colleges and Universities (ACCU)** serves as the collective voice of U.S. Catholic higher education. Through programs and services, ACCU strengthens and promotes the Catholic identity and mission of its member institutions so that all associated with Catholic higher education can contribute to the greater good of the world and the Church.
- The **Association of Governing Boards of Universities and Colleges (AGB)** is the only national association that serves the interests and needs of academic governing boards, boards of institutionally related foundations, and campus CEOs and other senior-level campus administrators on issues related to higher education governance and leadership.
- The **Association of Jesuit Colleges and Universities (AJCU)** represents all 28 Jesuit institutions in the U.S. and is affiliated with over 100 Jesuit institutions worldwide.
- The **Association of Public and Land-grant Universities (APLU)** is a research, policy, and advocacy organization dedicated to strengthening and advancing the work of public universities. With a membership of 236 public research universities, land-grant institutions, state

university systems, and affiliated organizations, APLU's agenda is built on the three pillars of increasing degree completion and academic success, advancing scientific research, and expanding engagement. Annually, its 194 U.S. member campuses enroll 4 million undergraduates and 1.2 million graduate students, award 1.1 million degrees, employ 1 million faculty and staff, and conduct $40.7 billion in university-based research.

- The **Association of Research Libraries (ARL)** is a nonprofit organization of 123 research libraries at comprehensive, research institutions in the U.S. and Canada that share similar research missions, aspirations, and achievements.
- The **College and University Professional Association for Human Resources (CUPA-HR)**, the voice of human resources in higher education, represents more than 23,000 human-resources professionals at over 2,000 colleges and universities. Its membership includes 93 percent of all United States doctoral institutions, 78 percent of all master's institutions, 53 percent of all bachelor's institutions, and nearly 600 two year and specialized institutions.
- The **Council for Advancement and Support of Education (CASE)** is a professional association serving educational institutions and the advancement professionals who work on their behalf in alumni relations, communications, development, marketing, and allied areas. CASE helps its members build stronger relationships with their alumni and donors, raise funds for campus projects, produce recruitment materials, market their institutions to prospective students,

diversify the profession, and foster public support of education.

- The **Council of Graduate Schools (CGS)** is an organization of approximately 500 institutions of higher education in the United States, Canada, and across the globe engaged in graduate education, research, scholarship, and the preparation of candidates for master's and doctoral degrees.
- The **Council of Independent Colleges (CIC)** represents 684 private, nonprofit liberal arts colleges and universities and 83 state councils and other higher education organizations.
- The **Council on Social Work Education (CSWE)** is the national association representing social work education in the United States. Its members include over 750 accredited baccalaureate and master's degree social work programs, as well as individual social work educators, practitioners, and agencies dedicated to advancing quality social work education. Through its many initiatives, activities, and centers, CSWE supports quality social work education and provides opportunities for leadership and professional development, so that social workers play a central role in achieving the profession's goals of social and economic justice. CSWE's Commission on Accreditation is recognized by the Council for Higher Education Accreditation as the sole accrediting agency for social work education in the United States and its territories.
- The nonprofit **Educational Testing Service (ETS)** is passionate about its mission to advance quality and equity in education for all people

worldwide because we believe in the power of learning. ETS strives to provide innovative and meaningful measurement solutions that improve teaching and learning, expand educational opportunities, and inform policy. ETS develops, administers and scores more than 50 million tests annually—including the TOEFL® and TOEIC ® tests, the GRE ® tests and The Praxis Series ® assessments—in more than 180 countries, at over 10,000 locations worldwide.

- **EDUCAUSE** is a nonprofit association and the foremost community of information technology leaders and professionals committed to advancing higher education. Through analysis, advocacy, and professional development, EDUCAUSE supports IT professionals and the contributions technology makes to institutional and community-wide strategic initiatives. EDUCAUSE membership includes 2,300 colleges, universities, and related organizations.

- The **Graduate Management Admissions Council (GMAC)** is a global, non-profit association of 220 leading graduate business schools. Founded in 1953, we are actively committed to advancing the art and science of admissions by convening and representing the industry and offering best-in-class products and services for schools and students. GMAC owns and administers the Graduate Management Admission Test® (GMAT®) exam, used by more than 6,500 graduate programs worldwide.

- The **Hispanic Association of Colleges and Universities (HACU)**, founded in 1986 and headquartered in San Antonio, TX, represents more than 470 colleges and universities

committed to Hispanic higher education success in the U.S. and Puerto Rico. HACU's member institutions enroll two-thirds of the nation's Hispanic college students and six million students altogether. It is an essential role of higher education to be able to educate in a global context and unwarranted blanket travel bans restrict the ability of institutions to fully address that role.

- The **Law School Admission Council (LSAC)** is a nonprofit corporation devoted to facilitating and enhancing the admissions process for more than 200 law schools in the United States, Canada, and Australia. Founded in 1947, LSAC is best known for administering the Law School Admission Test ("LSAT"), but it also sponsors and publishes research about law school admissions. LSAC has a strong interest in ensuring that standardized test scores are given the proper weight in the admissions process, and a longstanding commitment to ensuring equal access to legal education for members of minority groups.
- **NAFSA: Association of International Educators** is the world's largest nonprofit association dedicated to international education and exchange with 10,000 members located at more than 3,500 institutions worldwide, in over 150 countries. Members of NAFSA share a belief that international education advances peace, learning and scholarship, builds respect among different peoples, and encourages constructive leadership in a global community.
- The **Student Affairs Administrators in Higher Education (NASPA)** is the leading association for the advancement, health, and sustainability of the student affairs profession.

- The **National Association for College Admission Counseling (NACAC)**, founded in 1937, is an organization of nearly 16,000 professionals from around the world dedicated to serving students as they make choices about pursuing postsecondary education. NACAC is committed to maintaining high standards that foster ethical and social responsibility among those involved in the transition process, as outlined in the NACAC Statement of Principles of Good Practice (SPGP).
- The **National Association of College and University Business Officers (NACUBO)**, founded in 1962, is a nonprofit professional organization representing chief administrative and financial officers at more than 2,100 colleges and universities across the country. NACUBO's mission is to advance the economic viability, business practices, and support of higher education institutions in pursuit of their missions.
- The **National Association of Diversity Officers in Higher Education (NADOHE)** is the leading voice of chief diversity officers in higher education. Its membership includes more than 600 individuals representing more than 250 colleges and universities, affiliated professional organizations, and ten state/regional NADOHE chapters.
- The **National Association of Independent Colleges and Universities (NAICU)** serves as the unified national voice of private, non-profit higher education in the United States. It has more than 1,000 members nationwide.